

Message Text

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12

ACTION NEA-12

INFO OCT-01 EUR-25 ADP-00 CIAE-00 DODE-00 PM-09 H-02

INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15

USIA-12 IO-12 DPW-01 SR-02 ORM-03 RSR-01 GAC-01 OMB-01

/125 W

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R 041217 Z MAY 73

FM AMEMBASSY ISLAMABAD

TO SECSTATE WASHDC 9095

INFO AMEMBASSY DACCA

AMEMBASSY KABUL

AMEMBASSY LONDON

AMEMBASSY NEW DELHI

AMEMBASSY TEHRAN

AMCONSUL KARACHI

AMCONSUL LAHORE

C O N F I D E N T I A L SECTION 1 OF 2 ISLAMABAD 3660

E. O. 11652: GDS

TAGS: PFOR PK IN BG

SUBJ: INDO/ PAK/ BANGLADESH RELATIONS

REF: NEW DELHI 4970

1. SUMMARY: DESPITE SERIOUS RESERVATIONS ABOUT INDO/ BANGLADESH DECLARATION, GOP SEES IT AS POSITIVE OPENING TO BREAK CURRENT DEADLOCK. GOP RESPONSE SEEKING INDO-PAK MEETING SHOULD BE SEEN IN THIS CONTEXT. GOP NATURALLY OPPOSES ANY BDG- CONDUCTED WAR CRIMES TRIALS BUT APPEARS TO ACCEPT THIS INEVITABILITY. GOP IS PREPARED TO RECEIVE LIMITED NUMBER OF BHIHARIS. ABOVE ALL, GOP SEEKS SOME MOVEMENT ON POW ISSUE. END SUMMARY

2. IN THIS PERIOD PENDING INDO/ BANGLADESH REPLY TO
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PAKISTAN APRIL 20 RESPONSE TO DELHI APRIL 17 DECLARATION, EMBASSY BELIEVES TIMELY TO RECAPITULATE PAKISTAN'S POSITION AS WE UNDERSTAND IT ON OUTSTANDING ISSUES BETWEEN PAKISTAN, INDIA AND BANGLADESH, AND PARTICULARLY ON INDO/ BANGLADESH JOINT DECLARATION OF APRIL 17.

3. DESPITE RESERVATIONS ON SOME POINTS AND OUTRIGHT REJECTION OF DACCA'S RIGHT TO HOLD WAR CRIMES TRIALS, GOP VIEWED APRIL 17 DECLARATION AS POSITIVE MOVE TO BREAK LONG- STANDING DEADLOCK. GOP SEES BREAKTHROUGH IN BANGLADESH'S DROPPING OF RECOGNITION AS PRE- CONDITION TO RETURN OF POWS. THAT CONCESSION ALONE MAKES IT DESIRABLE FOR GOP TO KEEP DISCUSSION GOING IN EFFORT TO WORK OUT ACCEPTABLE ARRANGEMENT ON OTHER POINTS IN INDO/ BANGLADESH DECLARATION.

4. PAKISTAN'S POSITION ON POWS IS ESSENTIALLY THAT INDIA HAS OBLIGATION UNDER GENEVA CONVENTION (AND SECURITY COUNCIL RESOLUTION) TO RETURN ALL POWS UNCONDITIONALLY. PAKISTAN CAN BE EXPECTED TO ADHERE WITHOUT DEVIATION TO THIS POSITION. MAJOR PROBLEM IS BANGLADESH'S INSISTENCE ON HOLDING WAR CRIMES TRIALS OF SOME 195 PAKISTANI PRISONERS. GOP TAKES POSITION THAT BDG HAS NO LEGAL RIGHT TO TRY ANY POWS AND THAT STRONGLY ADVERSE PUBLIC REACTION IN PAKISTAN TO ANY SUCH TRIALS WILL SERIOUSLY IMPEDE AND POSSIBLY PREVENT INDEFINITELY RECONCILIATION BETWEEN PAKISTAN AND BANGLADESH. GOP IS ALSO CONCERNED THAT TRIALS WILL GENERATE SENSATIONAL PUBLICITY, REVIVING STORIES OF PAKISTANI ATROCITIES WHICH CAUSED PAKISTAN MUCH EMBARRASSMENT INTERNATIONALLY IN 1971 AND EARLY 1972. GOP, THEREFORE, CANNOT BE EXPECTED TO AND WILL NOT ACQUIESCE OFFICIALLY IN ANY TRIALS OF PAKISTANI PRISONERS BY BANGLADESH.

5. AT SAME TIME, EMBASSY BELIEVES THAT SENIOR GOP OFFICIALS ACCEPT INEVITABILITY OF WAR CRIMES TRIALS WITH HOPE OUTCOME MAY BE MITIGATED BY CLEMENCY BY BDG. GOP IN OUR VIEW DOES NOT WANT WAR CRIMES TRIALS AS ISSUE TO STAND IN WAY OF RETURN OF BULK OF POWS BUT GOP WILL
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UNDOUBTEDLY CONTINUE TO INVEIGH AGAINST TRIALS. MOREOVER, IT SEEMS INCREASINGLY LIKELY THAT GOP WILL BRING TO TRIAL SOME BENGALIEE CIVIL AND MILITARY PERSONNEL IN PAKISTAN AS COUNTERMEASURE TO BANGLADESH WAR CRIMES TRIALS. PAKISTAN HAS NO DESIRE TO PERSECUTE BENGALIEES REMAINING IN PAKISTAN. RATHER GOP IS EAGER TO SEE ALL BENGALIEES WHO WISH TO DO SO LEAVE COUNTRY. THREAT TO TRY SOME BENGALIEES HERE IS

NEGOTIATING TACTIC AND INTENDED AS SUCH TO BANGLADESH GOVERNMENT. IT MAY ALSO BE NECESSARY FOR DOMESTIC REASONS. WE DO NOT BELIEVE GOP IS UNDER SERIOUS ILLUSIONS THAT TRIALS OF BENGALLEES BY PAKISTAN WILL PREVENT POW TRIALS BY BANGLADESH. GOP WOULD UNDOUBTEDLY COMMUTE SENTENCES SHOULD BDG DO SO FOR POWS IT CONVICTS.

6. ONE ISSUE ON WHICH WAR CRIMES TRIALS LIKELY TO HAVE PARTICULARLY ADVERSE IMPACT IS PAK RECOGNITION BANGLADESH. BHUTTO IS FIRMLY ON PUBLIC RECORD AS FAVORING RECOGNITION; IN RECENT COMMENTS TO US HE REITERATED THAT HE QTE WANTS TO RECOGNIZE BANGLADESH UNQTE AND BEGIN PROCESS OF RECONCILIATION. TO DO SO, HOWEVER, HE MUST HAVE AT LEAST PUBLIC ACQUIESCENCE IF NOT ACTIVE SUPPORT. SUCH DEVELOPMENT COULD WELL BE PUT OFF FOR INDETERMINATE PERIOD BY HIGHLY PUBLICIZED TRIALS IN DACCA.

7. PAKISTAN'S ACCEPTANCE OF 260,000 BIHARIS WOULD HAVE POLITICAL, ECONOMIC AND SOCIAL IMPLICATIONS. GOP INITIAL POSITION ON THIS ISSUE IS AGAIN LEGALISTIC: GOP REJECTS RIGHT OF ANY POLITICAL ENTITY TO EXPELL PERSONS DOMICILED IN THAT ENTITY AND DENIES ANY OBLIGATION TO TAKE THEM IN. AT SAME TIME, GOP LEADERS RECOGNIZE THAT PAKISTAN HAS CERTAIN HUMANITARIAN RESPONSIBILITIES TO BIHARI POPULATION IN BANGLADESH AND ARE SYMPATHETIC TO BIHARIS' PLIGHT. HOWEVER GOP ASSUMES, PROBABLY CORRECTLY, THAT VAST MAJORITY OF ANY REPATRIATED BIHARIS WOULD SETTLE IN KARACHI URBAN AREA. EXPANSION OF URDU- SPEAKING POPULATION IN KARACHI, GOP FEARS, WOULD AGGRAVATE LONG - STANDING TENSIONS BETWEEN URDU- SPEAKING REFUGEES AND NATIVE SINDHIS. GOP IS ALSO UNDERSTANDABLY UNENTHUSIASTIC ABOUT FINANCIAL BURDEN INVOLVED IN RESETTLEMENT OF SUBSTANTIAL NUMBER OF BIHARIS. WE BELIEVE GOP IS NOW PREPARED, HOWEVER, ACCEPT LIMITED NUMBER OF BIHARIS --
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INCLUDING THOSE WHO HAVE FAMILY MEMBERS IN PAKISTAN AS WELL AS OTHER SPECIAL HARDSHIP OR ESPECIALLY DESERVING CASES. PAK POSITION MIGHT ULTIMATELY MOVE TO ACCEPTANCE OF BIHARIS ON ONE- FOR- ONE BASIS FOR BENGALLEES LEAVING PAKISTAN FOR BANGLADESH. (BHUTTO TOLD SIR ALEC DOUGLAS HOME IN FEBRUARY 1972 THAT HE WOULD BE WILLING TO RECEIVE BIHARIS ON THIS BASIS AND ALSO TOLD CHARGE MARCH 25, 1972 THAT HE WOULD BE AGREEABLE TO SUCH A FORMULA. MOST RECENTLY; BHUTTO HAS COMMENTED INFORMALLY TO US THAT PAKISTAN WAS PREPARED DISCUSS TAKING IN SOME BIHARIS; QUESTION WAS QTE HOW MANY AND WHAT KIND. UNQTE)

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ACTION NEA-12

INFO OCT-01 EUR-25 ADP-00 CIAE-00 DODE-00 PM-09 H-02

INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15

USIA-12 RSR-01 OMB-01 GAC-01 IO-12 SR-02 ORM-03 DPW-01

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R 041217 Z MAY 73
FM AMEMBASSY ISLAMABAD
TO SECSTATE WASHDC 9096
INFO AMEMBASSY DACCA
AMEMBASSY KABUL
AMEMBASSY LONDON
AMEMBASSY NEW DELHI
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AMCONSUL KARACHI
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C O N F I D E N T I A L SECTION 2 OF 2 ISLAMABAD 3660

8. EMBASSY NOTES THAT PAK APRIL 20 RESPONSE TO DELHI
DECLARATION CONTAINED NO REFERENCE TO BANGLADESH. THIS COULD BE
INDICATIVE OF SOME RELUCTANCE ON PART OF PAKS TO
DISCUSS PROBLEMS RELATING TO BIHARIS OR BENGALLEES WITH
INDIANS ON GROUNDS THEY ARE SOLE CONCERN OF ISLAMABAD
AND DACCA. HOWEVER, BHUTTO HAS RECENTLY INDICATED TO US
A RELAXED POSITION ON THIS ISSUE. WHILE NOTING THAT

NUMBER OF OUTSTANDING QUESTIONS WERE OF ESSENTIALLY BI-
LATERAL NATURE, HE SAID THAT PROBLEM OF COMMUNICATIONS
BETWEEN PAKISTAN AND BANGLADESH WAS COMPLICATED BY PAK
NON- RECOGNITION BANGLADESH AND THAT IT WAS THUS NECES-
SARY TO TRY TO COMMUNICATE THROUGH THIRD PARTIES INCLUD-
ING NOT ONLY INDIANS, BUT US, SOVIETS AND OTHERS AS WELL.

9. IN SUM, GOP SEES INDO/ BANGLADESH DECLARATION, DESPITE
ITS ADVERSE FEATURES, AS BASIS FOR RESUMPTION OF SERIOUS
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NEGOTIATIONS TO BEGIN RESOLVING COMPLEX OF ISSUES THAT

STAND IN WAY OF ACCOMMODATION WITH INDIA AND BANGLADESH.
PAK INVITATION TO INDIA TO OPEN TALKS IN ISLAMABAD IS NOT
A PLOY BUT GENUINE ATTEMPT TO KEEP THE BALL ROLLING NOW
THAT DELHI AND DACCA HAVE SET IT IN MOTION.
SOBER

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*** Current Classification *** CONFIDENTIAL

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